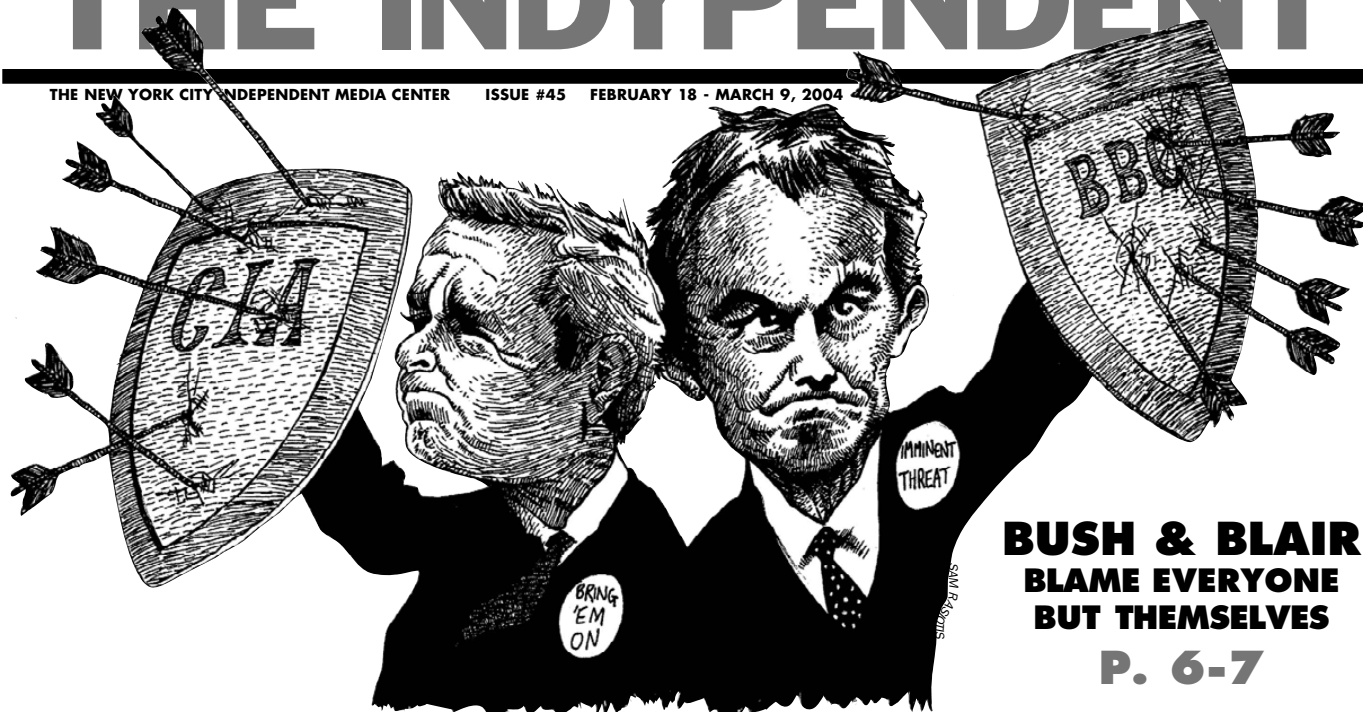


THE INDYPENDENT

THE NEW YORK CITY INDEPENDENT MEDIA CENTER

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FEBRUARY 18 - MARCH 9, 2004



**BUSH & BLAIR
BLAME EVERYONE
BUT THEMSELVES**

P. 6-7

THE TRANSATLANTIC BLAME GAME

HIGH-STAKES TESTING HITS NY'S SMALLEST

BY JOHN TARLETON

Critics of Mayor Michael Bloomberg's plan to impose high-stakes testing on third graders are increasingly concerned that New York's Smallest are being sacrificed to satisfy the mayor's political agenda.

"It's a gimmick," says Paula Rogovin, who teaches first grade in Manhattan. "This doesn't give the child a love of learning. And it certainly doesn't give the teacher a love of teaching."

Under the federal No Child Left Behind Act, school funding is tied to how well fourth graders perform on standardized tests. Bloomberg's political fortunes will receive a boost if he can point to higher fourth grade test scores when he runs for re-election in 2005.

"We see [the third grade tests] as a ploy to artificially boost the scores of the next crop of fourth graders," says Keith Catone, a Bronx social studies teacher.

Third graders who receive a "1" on a scale of 1-4 on the proposed standardized tests in English or Math would have to attend a special summer school program or be held back. Classroom work, attendance and individual learning styles will not be considered in promotion. As many as 15,000 third graders may be held back this year alone. The plan will cost millions to implement and comes at a time when average class sizes have swelled in the city's grade schools for the first time in eight years.

"I see very little in this that is good for the development of the child," says Jeremy Kamps, a third grade teacher at PS 152 in Washington Heights. "To put all the eggs in that one basket, penalizes creative thinkers and doesn't tell the whole story."

In the two and a half months leading up to last year's tests (which were high stakes in some schools but not others), Kamps says he spent up to 75 percent of his teaching time doing test prep. He said the pressure associated with the tests inevitably impacts students.

"I'm not sure they know what a test means," Kamps says. "It's basically a big threat to them levied by someone without a name or a face."

Frustration with the proposed changes boiled over at the Feb. 9 meeting of the Panel for Education Policy (PEP), the Mayor's handpicked successor to the city Board of Education.

"The school districts in Kabul and Baghdad will recover faster than this one will from what's been done to it," said Norman Scott, a retired teacher and member of a dissident caucus inside the United Federation of Teachers.

"This is a setup," said Amy Valez, a former District 1 school board member. "They are businessmen who want to say, 'we tried everything and failed' and then hand over the schools to private business."

Calling critics' charges "unsupported, unfounded and even irresponsible," Schools Chancellor Joel Klein defended the tests as essential to school reform. "If we don't get serious in the early grades and keep on doing what we've done, kids will fall further and further behind."

Opponents of Klein and Bloomberg's approach note criticism comes from many quarters, including the American Educational Research Association, the National Board on Educational Testing and the National Council on Measurement in Education, as well as Harcourt and CTB McGraw-Hill, the companies that produce standardized tests.

"Achievement test scores may certainly enter into a promotion or retention decision," says Harcourt, which provides the city's third grade reading exam. "However, they should be just one of the many factors considered and probably should receive less weight than factors such as teacher observation, day-to-day classroom performance, maturity level, and attitude."

Testing critics also point out that a number of studies done over the past quarter century all show that holding children back at an early age often has a devastating emotional impact and significantly increases the chance they will later drop out.

See high-stakes testing, p.4



NEW YORK CITY INDEPENDENT MEDIA CENTER

Phone:
212.684.8112

Email:
imc-nyc-print@indymedia.org

Web:
NYC: www.nyc.indymedia.org
GLOBAL: www.indymedia.org

Office and Mail:
NYC Independent Media Center
34 E. 29th St. 2nd Floor
NY, NY 10016

WHAT IS INDYMEDIA?

With autonomous chapters in more than 100 cities throughout the world, the Independent Media Center is an international network of volunteer media activists.

The IMC seeks to create a new media ethic by providing progressive, in-depth and accurate coverage of issues. We are a community-based organization using media to facilitate political and cultural self-representation. We seek to illuminate and analyze issues impacting individuals, communities and ecosystems by providing media tools and space to those seeking to communicate. We espouse open dialogue and placing the means of communication and creativity back in the hands of the people, away from the drive of profit.

The Independent is funded by benefits, subscriptions, donations, grants and ads from organizations and individuals with similar missions.

WHAT CAN I DO TO GET INVOLVED?

The IMC has an open door. You can write for The Independent, film events and rallies, self-publish articles to the web, take photos or just help us run the office. As an organization relying entirely on volunteer support, we encourage all forms of participation.

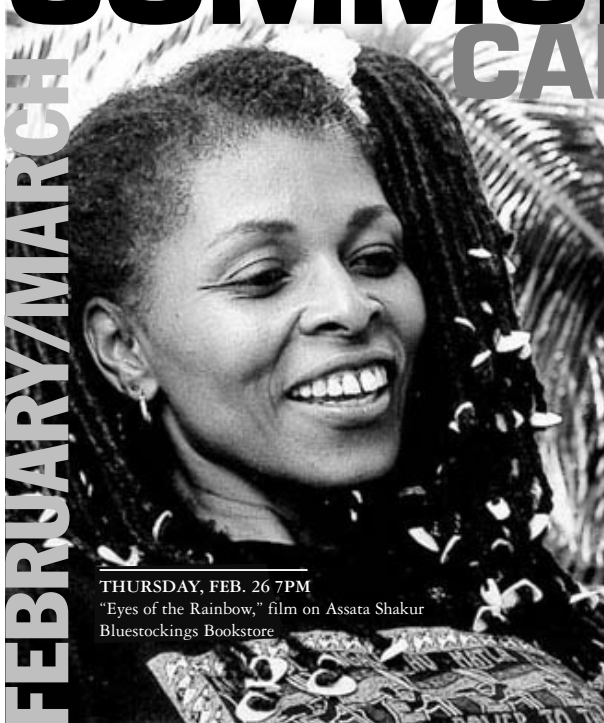
The print team reserves the right to edit articles for length, content and clarity. We welcome your participation in the entire editorial process.

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COMMUNITY CALENDAR

FEBRUARY/MARCH



THURSDAY, FEB. 26 7PM
"Eyes of the Rainbow," film on Assata Shakur
Bluestockings Bookstore

70 North 6th St., Brooklyn,
www.galapagosartspace.com

Monday, Feb. 23

5:30 pm • Free
Remembering Chechnya,
w/Chechen massacre survivor Aset Chadeva and screening of "Welcome to Grozny;"
CUNY Graduate Center,
365 Fifth Ave @ 34th St.,
Rm. 5409

Tuesday, Feb. 24

7:15 pm • Free
Meditation and Personal Transformation Workshop;
Sister's Uptown Bookstore,
1942 Amsterdam Ave. @
156th St.
Info: 718-576-1300

Wednesday, Feb. 25

7:30 pm • \$6-10 suggested
Haiti: Revolution and Counter-Revolution, panel discussion;
Brecht Forum,
122 West 27th St.,
www.brechtforum.org

Thursday, Feb. 26

7 pm • \$5
"Eyes of the Rainbow," film on Assata Shakur followed by discussion on the "spirituality of revolution" with Rosemary Mealy;
Bluestockings Bookstore,
172 Allen St. (btw. Rivington & Stanton),
www.bluestockings.org

Friday, Feb. 27

6:30-8:30 pm • Free
Rape Prevention Seminar: Standup and Ground Defense;
New York Jiu Jitsu School,
577 Broadway (btw. Houston and Prince) 2nd Fl.
Call 866-NY-JITSU to register

7 pm • Free

Book Signing by Larry Everest: Oil, Power and Empire: Iraq and the U.S. Global Agenda;
Revolution Books,
9 W 19th St. (btw. 5th & 6th),
Info: 212-691-3345

7:30 pm • \$6-10 suggested
Danse Haiti! Performances by La Troupe Makandal &

The Ase Dance Theatre Collective; Brecht Forum,
122 W. 27th St.,
www.brechtforum.org

8 pm • \$5

NYC Grassroots Media Conference opening night featuring Daniel Bernard Roumain and a collaborative work by Nick Jones and Raja Azar called "Jollyship, the Whizbang."
Bowery Poetry Club,
308 Bowery,
www.bowerypoetry.com

Feb. 28 - 29

10 am - 6 pm • \$20/\$30 door
NYC Grassroots Media Conference. Choose from over 60 workshops on public access, radical media history, labor media, youth voting, video production, interviewing and more;
New School University,
5th Ave. and 13th St.
www.nycgrassrootsmedia.org for workshop details and registration

1 pm • Free

"Yo Soy Punk, No Salsa," film on Latin American punk history. Also Feb. 29: Jersey City Museum, 350 Montgomery St., PATH train to Grove St., www.jerseycitymuseum.org

Wednesday, March 3

7:30 pm • \$6-10 suggested
Christian Parenti discusses his book, The Soft Cage: Surveillance in America from Slavery to the Patriot Act;
Brecht Forum,
122 W. 27th St.,
www.brechtforum.org

Friday, March 5

6 pm • \$5
Alabanza/Praisesong: Fundraiser for Pedro Pietri, original Nuyorican poet and Vietnam vet exposed to Agent Orange, currently suffering from stomach cancer;
City College Center for Worker Education,
99 Hudson St., 7th Fl.,
edwa@ccny.cuny.edu

THE INDEPENDENT

has open meetings every Tuesday, 7 pm
34 E. 29 St., 2nd floor.

To submit events for the calendar, call (212) 684-8112.

Every Monday

6-10 pm
Public Speakout w/ No Police State;
Union Square

11 pm

Open DJ sessions, BYO CDs & vinyl;
97 Atlantic Ave., Brooklyn

Every Tuesday

7 pm
NYC IMC print team meets;
34 East 29th St., 2nd Floor

Garden w/More Gardens;
East 158th St., Bronx;
212-533-8019

Every Wednesday

12:30-1:30 pm
Ground Zero Witness for Peace & Justice vigil;
Church Street between Fulton & Vesey Sts.

6-8 pm

Hats Not Bombs knitting circle for all skill levels;
Jane Doe Books,
93 Montrose Ave., Brooklyn

Every Thursday

5:30-6:30 pm
Women in Black for Palestine;
14th Street & Broadway

8 pm -12 am

Poets Open Mic;
48 East 7th St.

Every Friday

10 am

Yoga for those who serve others;
7 West 24th St.

1 pm

Food Not Bombs (see Sunday).

7 pm

Critical Mass, (Last Friday of every month);
Union Square North

Every Saturday

Urban Outdoor walking tours of NYC shores & parks;
212-352-9330

3:30 - 4:30 pm

Brooklyn Food Not Bombs;
NW corner of Fort Greene Park,
autonomia68@riseup.net

6pm

Art Performance & Film;
Garden, 346 E. Houston St.

Every Sunday

1 pm
Central Park Walking Tour;
5th Ave. and East 72nd St. (in front of the statue of Samuel F. B. Morse.)
212-310-6600

1 pm

Food Not Bombs cooks at ABC No Rio.
Serves vegetarian food in Tompkins Square Park SW at 3:30 pm.

3-5 pm

Solidarity w/ Palestine Rally;
14th Street & Broadway

5 pm

RNC Bike Bloc (second Sunday of every month);
49 East Houston

6 pm

Books Through Bars;

ABC No Rio,
156 Rivington St., 2nd Fl.

6 pm

"Sunday Nights at the IMC" Movie Screenings;
34 East 29th Street

Thursday, Feb. 19

7 pm • \$15
Looking Back, Moving Forward: The Spirit of Marcus Garvey, a montage of drama and poetry;
Also Feb. 20-21 and 26-28; Nuyorican Poets Café,
236 E. 3rd St. (btw. B&C),
www.nuyorican.org

Friday, Feb. 20

7 - 9 pm • Free
A Debate on Iraq between Tariq Ali and Richard Murphy;
Judson Memorial Church,
55 Washington Square So.,
versony@versobooks.com

Saturday, Feb. 21

8 pm • \$12-20 sliding scale
Guatemala Human Rights Benefit Concert featuring singer Kristen Toedman and pianist Kevin Winkler;
Brecht Forum,
122 W. 27th St., 10th Fl.,
Info: Czarina at 718-842-2224

Sunday, Feb. 22

4-8 pm • Free
Art Auction to Benefit the Campaign of Dennis Kucinich;
St. John the Divine,
110th St. at Amsterdam Ave.,
nycfordennis@yahoo.com

7-9 pm • \$6

"Constructive Engagement," audio and video works from recent and historic political protests;
Galapagos,

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coffee | drinks | jazz | pizza
129 MacDougal Street 212.529.5945

LAWSUIT AIMS TO HAVE CIVIL UNIONS RECOGNIZED IN NY

Neil Conrad Spicehandler of Massapequa died at St. Vincent's Hospital in February 2002, three days after being admitted with a broken leg he suffered in a hit-and-run accident in Midtown. John Langan, Spicehandler's partner, sued the hospital for wrongful death. The hospital filed a motion to dismiss, stating that Langan lacked the legal standing to sue as he was in a same-sex civil union not recognized in New York. Lawyers and activists are hopeful that a court ruling in the case will set a precedent, not only for New York State but the entire country.

BY CYD ZEIGLER JR.

Lambda Legal Defense & Education Fund has taken up Langan's case and is arguing that New York must respect a contractual union entered into in another state.

Lambda Legal has already won one victory in Nassau County Supreme Court. In April 2003, Justice John P. Dunne ruled that the Vermont civil union between Langan and Spicehandler created a marriage contracted in another state, and that New York State policy did not preclude respecting the union in a wrongful death suit.

Adam Aronson, staff attorney for Lambda Legal, described Dunne as "a conservative, elected Republican judge in a suburban area. If there was anyone who might have been inclined to be biased against us, it was a judge like this."

Yet, Aronson added, the judge saw the eminent rationality of the viewpoint that they were advancing.

After an appeal filed by St. Vincent's, the

case now sits with the New York State Supreme Court, Appellate Division, Second Department. They will not be deciding whether there was wrongful death in the case, but simply whether the wrongful death case should be heard at all.

In late January, Lambda Legal was joined in their fight by four groups: the Association of the Bar of the City of New York, New York County Lawyers' Association, Women's Bar Association of State of New York, and the American Academy of Matrimonial Lawyers, New York Chapter. These groups submitted an amicus curiae brief in support of the decision.

The brief argued that New York has a long history of what is called "comity." Comity is the recognition of an agreement contracted in another jurisdiction, though the jurisdiction in question has no obligation to do so. Common law marriage is a very common application of comity. The Court has yet to decide whether or not it will accept the brief.

With same-sex unions being recognized by more and more states and municipalities,



MARRIED AFTER ALL: NY State judge ruled in support of recognizing out-of-state gay marriage.

cases like this could become more and more common throughout the country.

"Most of the civil unions in Vermont have been by out-of-staters," said Jay Weiser, lead counsel on the amicus brief and associate professor of law at Baruch College's Zicklin School of Business. "Now we'll have marriage in Massachusetts. Within North America, people are highly mobile, so courts across the country will have to wrestle with this issue."

"Courts have essentially wrestled with the broader issue of comity for the entire time that New York has existed," said Aronson. He believes that the Court's ultimate decision should be based on precedent.

"New York law, as it currently stands, has consistently recognized the marriages and spousal unions that have been entered into in both sister states and foreign countries," Aronson said. He added that the courts have rejected only two such marriages in the last 200

years. Those involved either polygamy or incest.

Because of New York's status as a hub of immigration, its reputation for attracting people from other states and the high regard for its court system, it is considered a leader in the issue of comity.

Other states are looking to New York for leadership in this area. This court's decision could open or close doors in other areas of the country, but it probably won't open the door for civil unions in New York.

Because this case is viewed as an issue of comity and not one of same-sex civil unions, "it's a separate issue," Weiser said. "Comity is historically an area of judge-made law. It's part of the common law. Civil union would likely be a decision of the legislature."

The Court could wait until the summer to issue a decision. The losing side will most likely take the case to the New York Court of Appeals, New York's highest court.

WHERE DO I GET MY COPY OF THE INDY?

A FREE PAPER FOR FREE PEOPLE

BELOW 14TH ST.

ABC No Rio
156 Rivington

Bluestockings Books & Café
172 Allen

Lotus Café
Clinton & Stanton

6th St. Community Center
638 E. 6th St.

Alt.Coffee
139 Ave. A (btw. 8th and 9th)

May Day Books
155 1st Ave. (btw 9th and 10th)

Kim's Video
St. Marks & 3rd Ave.

Housing Works
126 Crosby St.

LGBT Center
213 W. 13th St.

TLA Video
8th St. btw 6th Ave. & Broadway

14TH TO 96TH ST.

Revolution Books
9 W. 19th St.

Chelsea Sq. Diner
23rd & 9th St.

Brecht Forum
122 W. 27th, Fl. 10

Second Wave Laundroceter
55th & 9th Ave.

Hunter College (USG Office)
68th & Lex. (N 141)

ABOVE 96TH ST.

Labyrinth Books
536 W. 112th St.

Kim's Books
113th & Broadway

Strictly Roots Restaurant
123rd & Adam Clayton Powell

Green Chimneys
450 W. 145th St.

Fort Washington Bakery & Deli
808 W. 181 St.

Jumpin' Jalapenos
W. 207th St (Between Broadway & Vernililla)

Cafe Seven
7 Henshaw St.

BROOKLYN

Tillie's of Brooklyn
248 Dekalb Ave.

Green Apple Café
110 Dekalb Ave.

Marquet Patisserie
680 Fulton St.

Halcyon
227 Smith St.

Freddy's Bar and Backroom
Dean & 6th Ave.

BAM
30 Lafayette Ave

Community Book Store
7th & Carroll Sts.

Tea Lounge
Union St. @ 7th Ave.

Atlantis Super Laundry Center
472 Atlantic Ave.

Photoplay Video
933 Manhattan Ave

Clovis Books
4th St. & N. Bedford Ave.

Jane Doe Books
93 Montrose Ave.

Make the Road by Walking
301 Grove St.

QUEENS

Sunnyside Library
43-06 Greenpoint Ave.

East Elmhurst Library
95-06 Astoria Blvd.

Jackson Heights Library
35-51 81 St.

Friend's Tavern
78-11 Roosevelt Ave.

Langston Hughes Library
100-01 Northern Blvd.

Cafe Aubergine
49-22 Skillman Ave.

Sunnyside Library
43-06 Greenpoint Ave.

BRONX

South Bronx Clean Air Coalition
541-549 E 138th St.

The Point
940 Garrison Ave.

JERSEY CITY

Five Corners Public Library
678 Newark Ave.

Downtown Public Library
472 Jersey Ave.

Ground Coffee Shop
530 Jersey Ave.

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the Indy at your place,
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58 Youth/S20 Adult/S30 Day of Conference

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or go to Bluestockings: 172 Allen St.
or call 212.420.9045

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CITY IN BRIEF

NEW LAW WOULD SEND MISDEMEANOR CONVICTS TO PRISON

On Feb. 9, the NY State Senate passed a bill mandating a minimum 16-month sentence for anyone convicted of committing four misdemeanors within a 10-year period. The bill has yet to be passed by the Assembly. Robert Lederman, an artist who was arrested repeatedly for selling artwork in public during the Guiliani administration, calls the bill "the worst law I have ever seen." Lederman notes: "virtually all vending violations are misdemeanors, as are most other arrestable offenses in NYC, including protesting, posting a leaflet, disorderly conduct, jaywalking, drinking a beer on the street, marijuana possession, fare beating and even some littering and traffic violations."

BLOOMBERG'S BLUE LAWS GET OUT OF HAND

The New York Nightlife Association (NYNA) is gearing up to battle the Bloomberg Administration's proposed changes to the cabaret law, which could force many clubs to close at 1 a.m. More than 300 people attended a NYNA meeting on Feb. 4, including representatives from related industries.

NYNA President David Rabin pointed out that nightlife is a \$10-billion-a-year economic engine for the city, and compared the treatment of his industry to the film industry, which brings in \$3 billion a year to New York. "[The film industry] gets a commissioner, we go to jail," he stated.

Consumer Affairs Commissioner Gretchen Dykstra released a statement claiming, "this proposal promotes a lively nightlife."

FORMER BLACK PANTHER DENIED PAROLE

Herman Bell, one of the "New York Three," accused of killing two New York Police officers in 1971, was denied parole last week, according to the Malcolm X Grassroots Movement, which has been monitoring the case. He and fellow militant Jilil Muntaqim have been in jail for almost three decades. No statement has been released at press time either by the parole board or Mr. Bell.

QUEENS TEEN FEARS JAIL MORE THAN DEATH

Two months after being released from the Spofford Juvenile Detention facility in the Bronx, a 16-year-old boy jumped from a fifth-story window of his grandmother's Far Rockaway apartment to avoid arrest. The youth suffered bruised lungs, serious head trauma and lost several teeth, and is listed in critical condition at a local hospital.

The boy's grandmother said he had violated the rules of his conditional release by not attending school. Police were serving a warrant because he had not attended a court hearing on possession of stolen property.

Neighbors said the youth is friendly and poses "no trouble around" the neighborhood. Police claimed he has fled arrest in the past, but that "this time there was no fire escape" for him to use.

debate the news

NYC.INDYMEDIA.ORG



HERE'S A BRIGHT IDEA: Danielle Bobe, a fifth grader in Harlem presents a petition demanding smaller class sizes to Schools Chancellor Joel Klein at a Feb. 9 meeting of the Panel for Education Policy. PHOTO: LINA PALLOTTA

HIGH-STAKES TESTING

continued from cover

"Making such a decision requires a more thorough evaluation to know whether it will help," says T. Berry Bazelton, renowned pediatrician and author of numerous works on childcare and development. "Otherwise it's cruel to make the child repeat a grade."

High-stakes testing opponents are pointing toward PEP's March 15 meeting, at which a formal vote is scheduled on the third grade testing plan. The delegate assembly of the United Parents Association of New York City has come out against the plan and more

than 100 educators, advocates and education-policy experts have signed a letter, circulated by the nonprofit groups Advocates for Children and Class Size Matters, asking the mayor and the schools chancellor to withdraw the plan. Also, a broad coalition of groups will meet on Feb. 26 at Washington Irving High School (Irving and E. 15th) in the hopes of expanding the campaign against high-stakes testing.

For more info go to classsizematters.org or email the New York Collective of Radical Educators at nycore2003@yahoo.com.

INTERVIEW

ONE YEAR SINCE THE WORLD SAID NO TO WAR

Leslie Cagan is co-chair of United for Peace and Justice (unitedforpeace.org), a nationwide coalition of more than 600 grassroots groups that played a key role in organizing massive anti-war protests around the world on Feb. 15, 2003. A year later, she spoke with Andrew Fremont of the New York City Indymedia sound team.

How is United for Peace and Justice looking at the present and the future.

LC: This last year has been incredibly important. Here in New York City last year we estimate there were at least 500,000 people over near the U.N. on Feb. 15, and of course millions of people all around the world marched against the war that weekend. But many people ask, where did the movement go, why haven't there been such massive street demonstrations since then?

It doesn't mean people have gone away. Of course, some people were frustrated, disgusted, discouraged that they couldn't stop the war. But, I think for the most part, people realized that we are up against tremendous obstacles, and of course, no matter how important the big street mobilizations are, that can't be the only thing we do. We have to be doing the base building, the educational work.

Some of that energy of the last six months or so has gone into electoral campaigns. But I think we are about to see a reemergence of the street protests.

You think we are seeing a reemergence, perhaps. Do you think it might have a greater impact on the situation? Do you think Bush is really "on the run" now?

A HOUSE DIVIDED:

FIRST-EVER LISTENER ELECTIONS LEAVE WBAI WITH DIVIDED BOARD

BY CHRIS ANDERSON

Historic listener elections to the Local Station Board for WBAI-99.5 FM ended Feb. 5 without any of four competing slates controlling a majority of the 24-member board.

The Justice and Unity slate, which centered its campaign on the need for more diversity at the station, earned eight seats. Advocates for more internal democracy at WBAI running on the List-Prog slate garnered six seats and the People's Radio slate won three. Supporters of WBAI health-guru Gary Null picked up two seats, and independents amassed a total of five seats. Eighteen of the seats went to listener representatives and six to members of the station's staff.

The new board will face vexing questions about the station's finances, programming and diversity when it meets for the first time in February. The launching of a "liberal" radio network in New York City this summer poses yet another challenge. The fate of WBAI may rest on the ability of long-time political rivals to work together to move the station forward.

Founded after World War II by a small group of radical pacifists, listener-sponsored Pacifica Radio operates high-powered FM stations in Berkeley, Los Angeles, Houston, Washington, D.C., and New York City. Located in the center of the FM dial, WBAI's 50,000-watt signal alone has a potential audience of more than 20 million people in the New York City area.



LC: Well, I think he is definitely vulnerable. I think what happened last year in terms of the anti-war movement, and with the burst of energy surrounding anti-war activism was in part tapping into a lot of other issues. The Iraq war was the straw that broke the camel's back in way. People said, enough!

Now, will he be defeated? That I don't know. I think a lot of it depends on how much the Democratic candidate is really willing not only to be critical of the Bush administration, but really can say things are going to be different and this is how they are going to be different. It's got to be more than just a cosmetic difference between the two candidates.

How are the discussions going in terms of the March 20 march?

LC: We're not going to march past the U.N. This year we want to stay right in the heart of Manhattan, where people are. We're convinced that there is a tremendous dissatisfaction with the president's policy in Iraq. But not all of that sentiment has been translated into an actual mobilization of people. So we want to take our forces out into the heart of Manhattan to try to encourage and revitalize an even larger segment of the community to join us.

To listen to the full interview, go to <http://nyc.indymedia.org>

KERRY: LESS FILLING AND TASTES AWFUL

BY A.K. GUPTA

So it's the Kennedy-coined war-waffler against the dim-witted deserter. Or Kerry vs. Bush if you like.

With the Dean machine shaken apart by "The Scream," the fickle Democratic polity, ever-seeking electability, has eyes only for the Massachusetts war hero. Age, height, weight and political opinions don't matter (though race and sex still do). "Anybody but Bush" is all that counts. A Newsweek poll from January revealed that 65 percent of Democrats think Kerry is the candidate most likely to beat Bush in November.

Yet alarms are already sounding about Kerry. Some call Kerry and Bush birds of a feather, not just because both were Skull and Bonesmen. Even Kerry's policy director Sarah Bianchi has said, "He's not the lefty in this race."

Kerry is a member of the rightist Democratic Leadership Council. He's an ardent free-trader, supported Clinton's welfare "reform," cast yes votes for the Patriot Act and its precursor, the Counter-Terrorism and Effective Death Penalty Act, approved the invasion of Iraq and has spoke in favor of Bush's "preventive war" doctrine. He likes most of Bush's tax cuts and has little to offer the millions of Americans lacking healthcare.

Kerry legislative career is instructive. It barely exists. He has never authored a major piece of legislation and sits on the Senate's Commerce Committee, making him the darling of corporate lobbyists who have rewarded Kerry with more dollars than any other senator during the last 15 years.

But Kerry still positions himself as the anti-Bush and ducks behind his war record when the incoming questions land too close to his flimsy record.

The presidential contest will be a blue-blooded brawl. In a time of war and economic woes the race will instead be about military credentials and gay marriage. Expect the rabid right to trash Teresa Heinz Kerry for having her own opinions, her own wealth and the unmitigated gall to be European. The right has already

manufactured two fantasy scandals — an alleged affair Kerry had with an intern and a doctored photo showing Kerry and Jane Fonda appearing together at a Vietnam-era anti-war rally. The ensuing press hounding will result in the inevitable "Questions About Kerry" headlines.

Nonetheless, Bush is a clear and present danger. Some on the left argue Bush is hastening empire's decline by tax-cutting and spending the nation into bankruptcy and grinding down the Pentagon with his war-mongering, but Bush is also bulldozing all but the billionaires into a global mass grave.

The first term has been scary enough. A second term may spell the end of social security, civil liberties, organized labor, environmental regulation, reproductive rights and a century of progressive legislation.

The question for the desperate Dems is: What are they going to do if Kerry wins in November?

The anti-Bush legions will likely go back to their mall-crawling and latte-sipping ways, setting the stage for further disaster. President Kerry will govern as Bush Lite, which his apologists will label the "politics of the possible." The Republican four or eight years down the road will probably be even worse than Dubya.

Since Lyndon Johnson, the trajectory of the presidency has been hard right. While Nixon was the Freddy Krueger of foreign policy, his domestic policies are still the most progressive of any president since. Ford was a cipher and Carter launched the military buildup that Reagan added to. Ronnie was unable to pass his followers' wish list, but his tax cuts and assaults on federal programs knocked the support from social-welfare policies. Bush senior, having to deal with a Democratic Congress, had a better domestic record than Clinton, who downsized government, junked social programs, supersized the police state and deregulated everything.

A Kerry presidency will leave no corporation behind. With no mechanism for popular input the political process defaults to elites — large media, congressional members, lobbyists, advisers, think-tanks — almost all of which are corporate fronts.

And few expect Kerry to do anything positive. For his supporters, it's enough that he won't blow up half the globe, strip mine the rest and lock us all into detention camps.

Bush must be defeated. Realize, however, if Kerry wins we have to spend the next four years fighting the Democrats' me-too Republican policies just as hard as we have fought Bush.



THE GEORGE W. BUSH ACTION-LESS FIGURE

BY VANESSA HRADSKY

Did George W. Bush show up for a physical at his National Guard base in 1972? That's besides the point. While pundits debate Bush's National Guard days, the real question is why a President, with a penchant for all things military, evaded fighting a war in Vietnam.

On the Sunday Feb. 8 edition of "Meet the Press," Bush made it sound like being in the Guard was a fun pastime. "I served. I flew fighters and enjoyed it," he said. He later added, speaking about Vietnam, that he "would have gone had my unit been called up, by the way." But the unit in which Bush served was one that was confined to the United States. On PBS's NewsHour from Feb. 10, retired Army Brigadier General David McGinnis said Bush's Guard unit was "specifically a fighter interrupter unit... it's highly unlikely they would have been called up to go to Vietnam or any other incident."

Today's National Guard has a dangerously different role. Its members are among the first sent to war. Some 40 percent of those currently serving in Afghanistan and Iraq are in the guard or reserves. But when Bush served, the guard was usually kept safe on the homefront. Often referred to as the "champagne unit," the Texas Air National Guard of

the late 60s and early 70s was where the young and affluent enrolled, knowing that their chances of ever seeing combat were slim to nil. At the time Bush enrolled, 500 men were on a waiting list. Since Bush's father was a Texas congressman, he pulled a few strings. A former Texas House speaker admitted in a later court case that he and a Bush family friend arranged for a young George to bypass that waiting list and get into the Guard.

And yes, Bush was a slacker. He disappeared for much of 1972 and was suspended from flying in September of that year. Bush couldn't have flown a military plane if he was called to duty. Perhaps that best illustrates how he really felt about serving his country.



THE PEOPLE'S LAWYER

HOW TO DITCH THE MILITARY

BY URSULA LEVELT

543 Americans have died and at least 3,000 more wounded since the start of war in Iraq. Of that total, 36 residents of New York and New Jersey have lost their lives.

After the Iraqi people, it is the men and women of the U.S. military who are bearing the brunt of this war. Our military personnel deserve support, but more than that, they need to know their rights. Though not easy, it is possible to avoid active duty.

If you signed up through the Delayed Enlistment Program, which means that you have not yet reported for active duty, you have the right to change your mind. Just send a request to separate and you cannot be forced to serve.

Once you have reported for active duty, it is still possible to obtain a discharge within the first 180 days if you and your commanding officer both agree that you cannot or will not adjust to military life.

After 180 days, there must be adequate grounds for a discharge, such as family hardship, physical or mental health-related problems, homosexual conduct or conscientious objection. Many people realize that they are opposed to participation in war only after joining the military. The military defines conscientious objection as a "firm, fixed and sincere objection to war in any form or the bearing of arms" because of deeply-held moral, ethical or religious beliefs. To meet the military's standard you must be able to answer questions such as: How did you come to feel this way about war? What has influenced you? Have you seen things in your military experience that cause you to question your role in the military? You'll also need letters of support from your community about your sincerity and the struggles of conscience you have gone through.

If you succeed in obtaining a discharge on any of these grounds, you will keep your veterans' benefits, including tuition assistance and a pension.

This is not the case if you simply fail to report for duty after a leave, or, in other words, go AWOL. In fact, you may be charged with a punishable offense and have to face a court martial. Once you are AWOL, it is very important to obtain assistance to try to negotiate a deal that lets you separate "in lieu of court martial."

There is help out there. Make sure to get it.

This column provides general information, not specific legal advice. Each case is different. We advise you not to take any action before contacting the GI Rights Hotline, a nationwide service that offers free counseling: 1-800-FYI-95GI or 1-800-394-9544 or go to www.girights.org.

Also visit the Military Law Task Force page at the National Lawyers' Guild website, www.nlg.org. The Guild is looking for volunteers to support the work of the GI Rights Hotline in this area. If you are interested, please contact (212) 865-6265 or milcounseling@hotmail.com.

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BY CHRISTIAN ROSELUND

"The most brilliant propagandist technique will yield no success unless one fundamental principle is borne in mind constantly – it must confine itself to a few points and repeat them over and over"

—Joseph Goebbels, Nazi Minister of Propaganda

George W. Bush's recent attempts to shift the blame for the absence of the oft-discussed "weapons of mass destruction" away from his own administration is only one of a number of such techniques these days. And as patently phony as it is, it may work.

The pattern is repeated around the world. Tony Blair was cleared last month of "sexing up" a dossier by a judge who chose to blame the BBC instead. Also across the pond, whistleblower Katherine Gun awaits trial for revealing U.S. spying on the U.N. Meanwhile in Pakistan, the scientist who developed

the "Islamic bomb" is blamed for selling nuclear weapons technology to other countries, then pardoned and called a hero (see accompanying stories).

The evidence against the Bush administration is particularly damning. Bush, Dick Cheney, and Donald Rumsfeld and his disciple Paul Wolfowitz have been talking about these weapons for the last three years while weapons inspectors have come up empty. Even Secretary of State Colin Powell has admitted they did not exist. In 2001, during a trip to Egypt, Powell told the media that Saddam "has not developed any significant capability with respect to weapons of mass destruction. He is unable to project conventional power against his neighbors."

The inspectors have spent \$400 million in their fruitless search. Long after Powell reversed his opinion, then-Chief Weapons Inspector David Kay said inspectors were "very unlikely to find large stockpiles of weapons... I don't think they exist." This is what former U.N. Chief Weapons Inspector

THE BLAME

Hans Blix said in December 2003, that "both we U.N. inspectors and the American inspectors have been looking around and come to the conclusion that there aren't any." And before the war even started, Scott Ritter, who was Chief Weapons Inspector in Iraq until 1998, warned: "no one has backed up any allegations that Iraq has reconstituted WMD capability with anything that remotely resembles substantive fact." Mohamed El-Baradei of the International Atomic Energy Agency has had similar findings.

Some former military and intelligence officials have been remarkably candid about the deception. Ray McGovern, a CIA

A look back at what officials have said about Iraqi weapons of mass destruction in media reports, speeches and briefings:

FEB. 4, 1998	FEB. 8, 1999	AUG. 26, 2002	OCT. 7, 2002	JAN. 23, 2003	MARCH 17, 2003	APRIL 10, 2003	APRIL 13, 2003	JUNE 5, 2003
"If Saddam rejects peace and we have to use force, our purpose is clear. We want to seriously diminish the threat posed by Iraq's weapons of mass destruction program."	"Originally, the Iraqis indicated they had just a small quantity of VX (nerve agent)... Now the U.N. believes that Saddam may have produced as much as 200 tons... enough to kill everyone on Earth."	"Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction."	"The Iraqi regime... possesses and produces chemical and biological weapons. It is seeking nuclear weapons. We know that the regime has produced thousands of tons of chemical agents, including mustard gas, sarin nerve gas, VX nerve gas."	"Without question, we need to disarm Saddam Hussein... The threat of Saddam Hussein with weapons of mass destruction is real."	"Intelligence gathered by this and other governments leaves no doubt that the Iraq regime continues to possess and conceal some of the most lethal weapons ever devised."	"We did not want this war. But in refusing to give up his weapons of mass destruction, Saddam gave us no choice but to act."	"I have absolute confidence that there are weapons of mass destruction inside this country."	"We recently found two mobile biological weapons facilities which were capable of producing biological agents.... You know better than me he's got a big country in which to hide them.... We'll reveal the truth."
Then-President Bill Clinton	Clinton Administration Defense Secretary William Cohen	Vice President Dick Cheney	President George Bush	Sen. John Kerry, D-Mass.	President George Bush, on the eve of war	British Prime Minister Tony Blair	Now-retired Army Gen. Tommy Franks, commander of the ground war in Iraq	President George Bush

MEDIA TRAPPED IN BUSH'S HALL OF MIRRORS

BY CHRIS ANDERSON

The media's refusal to face the Iraq situation head-on has dropped the public into a WMD hall of mirrors, where the Bush administration's blunt, terrifying language of a year ago has been replaced by Orwellian obfuscation. What's worse, many in the press seem unable to get out of the objectivity trap they've constructed for themselves.

Journalists often cite the demands of "objectivity" to excuse lazy and even dishonest reporting. As long-time reporter Brent Cunningham noted in a issue of the *Columbia Journalism Review*: "If you're on deadline and all you have is 'both sides of the story,' that's often good enough... [The media] needs to free (and encourage) reporters to develop expertise and to use it to sort through competing claims, identify and explain the underlying assumptions of those claims, and make judgments about what readers and viewers need to know to understand what is happening."

In other words: a bogus WMD claim is still bogus, no matter how it's spun; a lie is a lie.

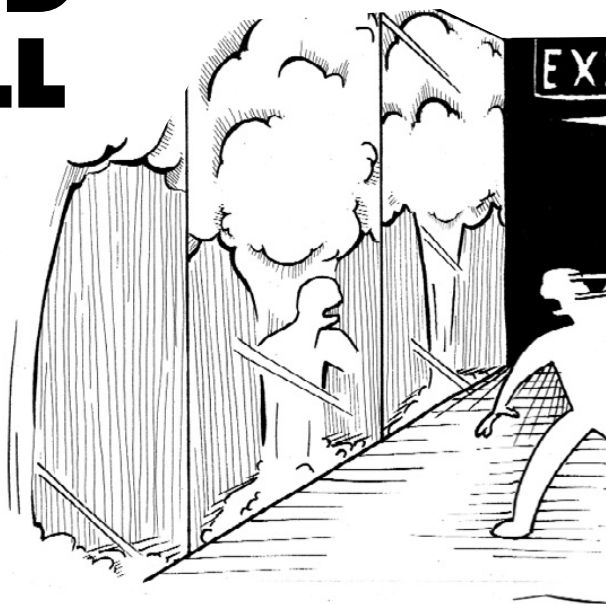
Whether the media can shake old habits remains to be seen. Taking cues from the leaders of powerful institutions is an entrenched habit with many journalists. And advocates of truth in journalism only need to look across the Atlantic to the BBC to see the dangerous consequences that too much independence of mind can bring.

At the height of the futile search for Iraqi weapons of mass destruction, BBC reporter Andrew Gilligan noted that a pre-war dossier about Iraq's weapons capacities was probably "sexed-up" to help bolster the Blair government's case for war. Despite the gen-

eral and undeniable truth of the BBC's claim, an investigation by Lord Hutton found that the BBC had betrayed the public trust by not following standard operating procedure and double-checking its source. The entire situation led to a surreal clash of headlines in Great Britain with simultaneous columns noting the outcome of the Hutton inquiry alongside David Kay's admissions to Congress that "we were almost all wrong" about Iraq's WMDs.

Typical of some reporters' attitudes is a quote from the doyenne of double-talk, the *New York Times'* Judith Miller. From September 2002 to April 2003, Miller broke a number of "exclusives" about Iraq's purported WMDs, all of which were later shown to be false. Responding to allegations in the *New York Review of Books* that she was too easily seduced by bald-faced Bush administration lies, Miller argues: "My job isn't to assess the government's information and be an independent intelligence analyst myself. My job is to tell readers of *The New York Times* what the government thought about Iraq's arsenal."

While there's time for the press to overcome its aversion to the truth, it needs a lot more reporters like the BBC's Andrew Gilligan and a lot fewer like Judith Miller. As of press time, however, Gilligan is the journalist without a job. According to many reports, a climate of fear has descended on the British press and the BBC in particular, with few reporters willing to challenge the Blair government directly. Miller, on the other hand, remains safely ensconced with the *Times*, eagerly awaiting, no doubt, her next opportunity to take the administration at its word.



BY MIKE BURKE

So now what? No weapons of mass destruction have been found. We've learned the exiles from the Iraqi National Congress provided little more than lies and half-truths in the lead-up to the war. The Pentagon didn't trust the CIA and formed its own intelligence unit, the Office of Special Plans. The media largely ate up the horror stories, from the fear of mushroom clouds to unmanned Iraqi drones attacking the East Coast. The BBC raised doubts about the rush to war and now its future is in jeopardy.

To counter criticism, independent investigation of what went wrong. But a mission to be independent. Every member was at the chair, judge Laure

WE GAME

analyst for 30 years who briefed Bush senior on a daily basis from 1981 to 1985, told a German newspaper that "this current administration had decided by September 2002 to make war on Iraq... what was missing was the intelligence basis to justify the decision for war."

As far as how this "intelligence" was created, a trail of dissenters is pointing back to the administration. After quitting her job for Under Secretary for Defense Douglas Feith last April, Pentagon Middle East specialist Lt. Col. Karen Kwiatkowski began talking to the media about the questionable activities of the Office for Special Plans (OSP).

The OSP was created by Rumsfeld and Wolfowitz to investigate possible links between al-Qaeda and Saddam Hussein. In OSP, she has said that "in terms of Israel and Iraq, all primary staff work was conducted by political appointees" resulting in an "uncritical acceptance of conformity to prevailing points of view." Further, OSP's actions were a "subversion of constitutional limits on executive power and a co-optation through deceit of a large segment of the Congress."

The CIA, for its part, is not ready to accept guilt, but whether or not it was coerced is still questionable. On Feb. 5, CIA Director George Tenet said that the CIA "never called Iraq an imminent threat," and also that "no one told us what to say or how to say it." However, Vincent M. Cannistraro, former head of counterterrorism at the CIA, has told the *New York Times* that "there is a tremendous amount of pressure on the CIA to substantiate positions that have already been adopted by the administration."

This is not a new trend. During the Iran-Contra scandal, Reagan made his infamous claim that he was "out of the loop." This forever branded him as out of touch and even senile, but allowed him to maintain his image as the "teflon president." In that instance, the scapegoats were Adm. John Pointdexter (who resigned this Bush administration in scandal last year over a "terrorism futures market") and Lt. Col. Oliver North, who shredded critical documents to shield the investigation into involvement by senior administration officials. In retrospect, the cover-up was blatantly obvious, but it worked.

The question is how successful the shifting of blame will be this time. Even if the media conclude Bush was failed by his information, they are unlikely to emphasize that the information was manufactured by his own appointees to serve policies the administration was hell-bent on pursuing from day one. If presidents and prime ministers can not be held responsible, then who can?

JUNE 24, 2003

"I have reason, every reason, to believe that the intelligence that we were operating off was correct and that we will, in fact, find weapons or evidence of weapons programs that are conclusive. But that's just a matter of time... It's now less than eight weeks since the end of major combat in Iraq and I believe that patience will prove to be a virtue."

Secretary of Defense
Ronald Rumsfeld

JAN. 25, 2004

"I don't think they [Iraqi weapons of mass destruction] exist."

FEB. 3, 2004

"With respect to stockpiles, we were wrong, terribly wrong."

Secretary of State
Colin Powell

FEB. 4, 2004

"We have not yet found the stockpiles of weapons that we thought were there... We had a choice — either take the word of a madman or take action to defend the American people."

President
George Bush



BRITISH GOV'T TAKES AIM AT GUN

By JOHN TARLETON

Katherine Gun, a translator for Britain's Government Communications Headquarters, was arrested last March after she revealed a classified document urging British intelligence to help the United States bug the phones of all the members of the U.N. Security Council. The scandal led to the collapse of a second resolution authorizing war with Iraq, which would have given the invasion much-needed legitimacy.

Gun, 29, has her first court appearance on Feb. 25 and is planning to plead not guilty. Facing up to two years in prison under Britain's draconian Official Secrets Act, she remains unapologetic. "I have only ever followed my conscience," she said in her sole public statement about the case.

Sources have revealed to the *London Observer*, however, that the charges may be dropped due to government concerns over more secrets being revealed in the trial and the strong positive publicity that she might enjoy. A number of big-name supporters from across the Atlantic have come to her defense, including Sean Penn, the Rev. Jesse Jackson and Daniel Ellsberg, the legendary whistleblower who leaked papers containing devastating details of U.S. involvement in Vietnam. Says Ellsberg, "She did what she could, in time for it to make a difference, as indeed others should have done, and still can."



PAKISTAN'S KHAN JOB

An impoverished third world nation rife with Islamic extremists spends decades trying to procure nuclear weapons. At one point its military dictator vows that its people "will eat grass" if that's what it takes to get the Bomb. More recently, this nation has been placed at the center of a vast illicit operation that put nuclear weapons technology in the hands of Iran, North Korea and Libya. Sound like Saddam Hussein's Iraq? Wrong.

The culprit is longtime U.S. ally Pakistan.

Pakistan's military has exclusive control over its nuclear program — to the point of barring civilian officials, even prime ministers, from visiting some facilities. Under its watch, whole centrifuges were exported to North Korea while C-130 aircraft were reportedly used to bring back advanced missile components. The *Asia Times* calls the smuggling ring, which spanned 15 nations on three continents, "the most complex, elaborate and successful operation to transfer nuclear weapons technology undertaken anywhere since the Manhattan Project."

Faced with growing international scrutiny, Pakistani strongman Gen. Pervez Musharraf gratefully accepted a Feb. 5 confession from the father of the Pakistani nuclear program, Abdul Qaheer Khan, that he alone was responsible for organizing Pakistan's trade in nuclear weapons components.

"There was never ever any kind of authorization for these activities by the government. I take full responsibility for my actions," Khan said in a nationally televised address. He was promptly pardoned by Musharraf.

While David Albright, president of the Washington-based Institute for Science and International Security, called Khan's mea culpa "a charade," the Bush administration (which needs Musharraf in the election-year hunt for Osama bin Laden) applauded the "investigation."

Said State Department spokesman Richard Boucher, "It marks the sign of how seriously the [Pakistani] government takes the commitments that President Musharraf has made to make sure that his nation is not a source of prohibited technologies for other countries. We welcome President Musharraf's actions, as do other members of the international community."

FIRST THE LIES, THEN THE COVER-UP

President Bush vowed a full on would occur to find out can we expect the new com- or do much investigating? pointed by Bush. nce Silberman, who allegedly

played a role in the 1980 October Surprise that helped Reagan win. A few years later he let Ollie North escape jail time for his role in the Iran-Contra scandal. And Silberman happens to be personal friends with Vice President Dick Cheney and Defense Secretary Donald Rumsfeld. Other members of the Bush-appointed com-

mission are tied to the military establishment, including the Carlyle Group and Northrup Grumman. And the commission's findings will play no role in the November election — the panel is not required to report until March 31, 2005.

It also looks like the commission doesn't even have

the mandate to examine the role played by two of the proponents of war, the Office of Special Plans and Cheney's office.

On FindLaw.com, President Richard Nixon's former counsel John W. Dean said of the Bush administration: "They have preempted the Congress successfully by appointing a commission with little expertise in intelligence matters that will not report until after the election. They have mandated the commission to do everything but what was being demanded — namely, that it examine the role of the Bush administration in dealing with the intelligence that was collected, then exaggerated and manipulated."

PLAYING 'CALVINBALL' AT THE UNITED NATIONS

BY RYE GRAZIANO

UNITED NATIONS, N.Y.—The United States is circulating a draft of a U.N. Security Council resolution that would endorse the interdiction of any ship, plane or train suspected of transporting weapons of mass destruction or related materials.

The draft resolution would declare that countries have the responsibility to prevent the passage of those carriers.

Adoption would represent a U.N.-sanctioned breach of customary law of the sea, which grants all ships the right to passage on the high seas.

This principle of free passage on the high seas was challenged back in December 2002, when Spanish ships, acting with intelligence provided by the United States, stopped a North Korean vessel in the Indian Ocean and discovered SCUD missiles aboard.

Authorities in Yemen held that the SCUD missiles were not illegal and that Yemen had a valid contract with North Korea for their purchase and delivery. Spain allowed the ship to continue its voyage to Yemen.

For the moment, the U.S. draft resolution is being circulated only to the other permanent members of the Security Council — China, France, Russia and the United Kingdom.

Non-permanent members — Algeria, Angola, Benin, Brazil, Chile, Germany, Pakistan, Philippines, Romania and Spain — have yet to see it.

The introduction of the resolution under the banner of "P5 unity" would enhance the

likelihood of its passage — and test yet again the U.N.'s ability to uphold international law.

Since the United Nations proved unable to prevent a war of aggression against Iraq last year, U.N. advocates have been hard-pressed to assert its efficacy and independence from the United States.

Far from maintaining itself as the authoritative body charged with upholding international law in the interests of "We, the peoples," the United Nations found itself with scarcely an argument against the thousands of people at the recent World Social Forum in Mumbai wielding placards reading, "The U.N.: A U.S.-less body."

The resolution in question is faulty on other counts. It would once again scrutinize WMD in the hands of certain nations, without a mention of the obligation of states that possess nuclear weapons to get rid of them. It fails to acknowledge that the very existence of nuclear weapons threatens others, who may feel their best defense is to seek their own nuclear weapons.

As it turns out, international law can be useful in legitimizing the United States' empire-building agenda. Other times, it can be just an impediment.

The body of law that prohibited Iraq from developing weapons of mass destruction came in handy when the United States was seeking to attack and re-colonize it last year. But the same body of law — including the U.N. Charter — also created a legal obstacle to the U.S. invasion.

That time, the United States deemed interna-

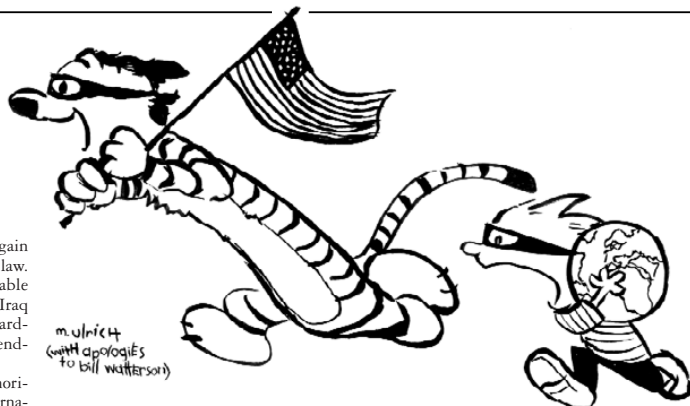
tional law inconvenient, and simply ignored it.

But, in the case of WMD proliferation, the United States knows it cannot just ignore international law. So a much more suitable solution has been found to circumvent it.

With that in mind, the United States created the Proliferation Security Initiative last May. Under the Initiative, eleven mostly Western countries endowed themselves with the right to interdict ships, planes, trains or other carriers "suspected" of carrying WMD. If the pilots, drivers or conductors refuse to submit to inspection, the signatories of the Initiative's Statement of Interdiction Principles state that they will "escort down" the carrier.

As far as countries considering the Initiative, such as France, Germany and Russia, many remain dubious as to its legitimacy. What constitutes "suspect" carriers? And who says so? What represents "proliferation" and what signifies legal sales of arms in the name of national security?

Whose authority will be respected enough to justify "escorting down" a plane? And what about the law of the sea?



If passed, the resolution would not only sustain the Proliferation Initiative, it would arm the U.S. with the legal justification for interdicting any ship, plane or train that it deemed "suspect" of carrying WMD. And the Security Council would be striking at standing international law, further weakening U.N. credibility.

In the classic comic strip, "Calvin and Hobbes," a little boy named Calvin often plays "Calvinball" with his best friend and stuffed tiger Hobbes. The joy of Calvinball is that the two players are able to make up the rules as they go along to whatever suits their advantage. With every play there is a new rule, which, if well-argued, can override or supersede the previously agreed upon rules.

But in the international game of Calvinball, and the U.S.-dominated world of missile sales, nuclear weapons and preventive war, the stakes are too high for the Council to play games.



WHAT IS HAPPENING IN HAITI?

BY BENNETT BAUMER

The current turmoil in Haiti appears to be a classic example of popular forces battling an autocratic regime. But there is more to the conflict than meets the eye. *The Guardian*, for one, reported on Feb. 16 that a former Haitian death squad leader and 20 commandos slipped over the border with the Dominican Republic on Feb. 14 to do battle. Other unsavory figures joining in include Guy Philippe, an ex-police chief who fled Haiti after attempting a coup against current President Jean-Bertrand Aristide in 2002.

Armed groups have been battling the police and Aristide supporters for weeks. The opposition is a mix of civic groups, right-wing political parties and elements from the brutal Duvalier regimes that terrorized Haiti for decades.

Aristide, a former Catholic priest, rode a wave of popular support to win the presidency in 1990. Previously, Haiti had been run as the gruesome fiefdom of the Duvalier family from 1957 to 1986. A military coup deposed Aristide in 1991 and death squads decimated popular forces, killing some 4,000 people until Aristide was reinstated in October 1994. When he reassumed power, Aristide disbanded the military, which had received

U.S. aid for decades.

Now, former members of the notorious death squad, the Front for the Advancement and Progress of Haiti (FRAPH), are reportedly training along the Dominican border. Also, opposition forces have met with officials from the U.S.-funded International Republican Institute (IRI) in Santo Domingo.

"The Dominican military is working with Haitian forces and are making forays into Haiti. The U.S. destabilizes Haiti through other forces," commented Jill Ives of the magazine *Haiti Progress*.

Opposition Forces

Multiple parties constitute the Democratic Convergence, the mouthpiece of the opposition to Aristide. "In 1991 they were Aristide allies, and then Aristide separated himself from them," said Esery Mondesir, a Haitian political activist now living in New York.

Democratic Convergence denies it is linked with forces fighting in the north, but it refuses to hold talks with Aristide about the violence until he agrees to leave power.

Aristide supporters discount the Democratic Convergence's following among Haitians. Its support appears to come mainly from the business community. "The opposition is a case study in low-intensity warfare with media repetition, armed incursions, and

disinformation," says Kim Ives of *Haiti Progress*.

Group 184 is a civic group that mobilizes business people, intellectuals and non-governmental organizations around "a social contract and a possible consensus to end the political gridlock and attempt to reconcile a torn nation." The group is led by apparel manufacturer Andre Apaid, whose father opposed Aristide in 1991, and began mobilizing around the 2000 elections, in which politicians allied with Aristide stepped down amid opposition cries of fraud.

"Many groups started as neighborhood defense committees and were politically conscious," says Kim Ives, who adds that some of these groups later degenerated into "drugs and extortion."

Ex-FRAPH soldiers comprise most of the armed opposition, while remnants of the defense committees form the "gangs" allied with Aristide. Some groups such as the Cannibal Army, once aligned with Aristide, now fight him because ex-Cannibal Army leader and drug dealer Amiot Metayer was arrested by Aristide in 2003.

Aristide and His Backers

President Aristide's base is Haiti's poor, who make up more than 80 percent of the population and elected him president in 1990 and

2000. The Organization of American States (OAS) found irregularities in the senatorial elections of 2000, but discounted opposition assertions of widespread fraud. Aristide repeatedly asked the opposition to participate in elections last year, but they have refused to talk with the government until Aristide steps down. Some observers say that's because the opposition would lose any election.

The Bush Administration

Parts of the opposition receive funds from the IRI, USAID and the Haitian-American Chamber of Commerce. The Bush administration has also blocked aid to the cash-strapped Aristide government and hints that it favors ousting him from power. In the wake of the 2000 elections Washington tried to expel Haiti from the OAS, which declined to do so. Caricom, a group of 15 Caribbean nations, is trying to bring the opposition and Aristide to the bargaining table.

FOOL BRITANNIA

ENGLAND EMBRACES THE POLITICS OF FEAR

BY JAMES KLICKER

Controversy exploded in Britain earlier this month when Home Secretary David Blunkett proposed trying UK citizens accused under the Anti-terrorism, Crime and Security Act of 2001 in secret courts. Speaking in India at the site of a 1919 British massacre of more than 1,000 Indians protesting the Rowlatt Act – which gave the British Raj the right to imprison without trial – Blunkett asserted that new “suicide terrorism” means traditional deterrents no longer work.

There has never been an act of “suicide terrorism” in Great Britain.

The Anti-terrorism Act is considered the strictest in Europe and has been heavily criticized by human rights organizations. One of its provisions loosens the standard of proof from “beyond a reasonable doubt” to “the balance of probabilities.”

Like the Patriot Act, it was proposed immediately after September 11 and curtailed civil rights in ways unthinkable beforehand. The Anti-terrorism Act automatically expires in 2006, but Blunkett is seeking an early renewal.

Of 7,000 people detained under terror laws in Britain since, only a small fraction were charged with terror-related crimes and the overwhelming majority were released without charges. Nonetheless, a final appeals court recently upheld the Home Secretary's right under the Act to hold 14 unidentified foreigners, whom he may deem to merely have terrorist “links,” indefinitely without trial. As it applied only to foreign nationals, the decision caused little controversy.

Now Blunkett's threat to loosen the rules to catch homegrown “terrorists” has prompted Labor peer Helena Kennedy to describe him as a “shameless authoritarian,” and call his ideas “an affront to the rule of law.” Meanwhile, Conservative Party Shadow Home Secretary David Davis said Blunkett's proposals were unnecessary and immoral.

Current Law Limits Political Groups

The Anti-terrorism, Crime and Security Act of 2001 restricts both freedom of association and of speech, while compelling all citizens to become government informers. The reach is deliberately broad and the penalties harsh.

The Act defines terrorism as anything involving damage or violence intended to influence any government or intimidate its population (foreign as well as UK) on behalf of a political, religious or ideological cause – broad language that was intended to include animal rights protesters as well as al-Qaeda. Any anti-globalization group promoting direct action at a WTO meeting, for example, meets this definition of “terrorist.”

Groups involved in such activities can be “proscribed,” meaning that membership in or support of a group the Home Secretary outlaws is punishable by 10 years in prison – even if you are unaware of the group's status. The proscription itself can be appealed only to a court which does not have to reveal evidence or provide an explanation of its ruling, and can change its rules of procedure from case to case. Currently, a dozen or so groups such as al-Qaeda and the Basque ETA are proscribed.

Both organizing any meeting (three or more people in public or private) where a

proscribed group member speaks, or wearing clothing associated with the group, are considered “support” of the group, which will earn the offender 10 years in prison.

Encouraging a donation to a proscribed group – 14 years. Owning any item of use to a terrorist organization – or just frequenting the premises where an item is stored – 10 years. Collecting information for the organization – 10 years. Managing any aspect of its operations (possibly just updating the mailing list) – life imprisonment.

Now, inciting violence overseas gets you the same sentence as actually committing an act of violence in Great Britain. This means that talking about a deed is punishable to the same degree as actually doing it. Oppressive foreign regimes can now press for prosecution of refugees on this basis.

If this were not enough, the above crimes the burden of proof is now reversed – the charged individual must prove his innocence.

Citizen Informers

Under the Act, everyone must report any “information about acts of terrorism in general” – or face five years. Similar rules in Northern Ireland have forced family members to inform and have obstructed the work of investigative journalists.

Constables can arrest you at will just on the suspicion of “general” terrorist involvement; under some circumstances you may be held up to seven days incommunicado without trial. “Emergency” powers (secretly in effect in London for two years) allow the police to stop and search individuals and cars without suspicion. Property deemed terror-related can be seized on the spot.

Another factor that makes these laws all the more frightening is that law enforcement in Great Britain has access to all records on individuals held by banks, schools, doctors, etc.,



which can be monitored without suspicion of a specific crime. This includes police access to all emails, websites visited and phone records (although maintaining such records is optional for companies).

Another law dramatically expanding the executive's emergency powers is expected to be passed later this month, partly motivated by the wish to keep Terror Act powers available even if that law is not renewed.

The Civil Contingencies bill grants the government the power to override all preexisting laws as needed, seal off the cities, impose censorship, set up tribunals, destroy property without compensation, ban peaceful protests, ban travel, and shut down the phone system and Internet. It is unclear whether Parliament can override the declaration of emergency.

While the “emergency” is to be an immediate threat to food, water, or power supplies, the Blair administration is signaling it will act on civil unrest which poses an indirect threat. Since the 1920s, such emergency powers have been used in the context of labor disputes.

Tony Bunyan of the civil liberties organization Statewatch, refers to the legislation as “Britain's Patriot Act.” He warned, “At a stroke democra-

NATION IN BRIEF

TWO OPTIONS FOR SOLDIERS: SUICIDE OR CANADA?

Activist Carl Rising-Moore is working to establish a safe passage to Canada he's calling the “Freedom Underground” for U.S. soldiers seeking to avoid the Iraq war. One French publication claimed in December that 1,700 U.S. soldiers have deserted their posts in Iraq after returning to the States. The Pentagon admits at least 22 others have committed suicide in Iraq since last March. Not only are conditions in Iraq dangerous for U.S. soldiers, many have had their tours of duty extended repeatedly. Rising-Moore wants to create an alternative for soldiers who want to avoid returning to Iraq. However, following the Vietnam War, Canada signed an agreement with the United States to extradite Americans fleeing the military.

JUSTICE DEPARTMENT'S ABORTION PROBE VIOLATES PATIENT PRIVACY

The Department of Justice has issued subpoenas to six hospitals demanding they hand over the records of patients who have had abortions performed there. Government lawyers claim they are investigating whether or not such procedures are legal under the new law that bans “partial-birth” abortions. Department attorney Sheila M. Gowan says she wants to determine whether or not these abortions were medically necessary, “or if it was just the doctor's preference to perform the procedure.” Hospital administrators are outraged at the probe, saying it violates patients' rights, and are worried at the number of women this will affect. The Department of Justice stated in response, “Individuals no longer possess a reasonable expectation that their histories will remain completely confidential.”

VIETNAMESE AGENT-ORANGE VICTIMS FILE SUIT

The first lawsuit by Vietnamese victims of Agent Orange was filed in New York State on Jan. 30 against the herbicide's manufacturers, including Dow and Monsanto. The plaintiffs include a man dying of lung cancer, a woman suing partly on behalf of her dead child and a woman who says Agent Orange victims are “the poorest, the most miserable and the most discriminated ones” in Vietnam. The Vietnamese government says about 3 million Vietnamese suffer from diseases linked to the product, which contains dioxin, a compound known to cause cancer, birth defects and organ dysfunction. Over 20 million gallons of Agent Orange – named for the color of its containers – and similar chemicals were sprayed by U.S. forces during the Vietnam War to destroy food crops and ground cover.

MEDICARE LAWMAKER NEW DRUG LOBBY HEAD

Chairman of the House Energy and Commerce Committee W.J. Tauzin (R-LA), announced his resignation last week due to health concerns. Tauzin, however, has been offered a position to head the lobbying effort of Pharmaceutical Research and Manufacturers of America, which Tauzin worked closely with last year to craft the Medicare bill. This bill included provisions intended to expand the prescription drug market among the elderly population. Also in the news last week, a 71-year-old Florida man robbed a Gainesville bank on his way to the hospital. When arrested he said he was trying to get money to pay for his wife's medical bills.

WHEN BUSH COMES TO SHOVE... WHERE DO YOU TURN FOR NEWS?

Naomi Klein says *The Independent* “mixes the spirit of direct action with a searing critique of corporate power.” Drawing upon the global network of Indymedia Centers, we let people speak for themselves – from the streets of Baghdad to the jungles of Colombia, the shantytowns of South Africa to the villages of East Timor. We look at those resisting the Pentagon and Wall Street reign of terror, from the fight at home for housing, quality education and civil liberties to the broader struggle against corporate globalization. Don't miss an issue – subscribe today!

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HOW TO SEND SECURE EMAIL

By EREZ GUDES AND ANA NOGUEIRA

When you send an email to your friend unencrypted, you might as well be sending a postcard to her via John Ashcroft's office.

Passwords don't mean much in the age of hackers, and even less in the age of Patriot Acts. Any kid with curiosity and tech knowledge can sniff out your email passwords. Any corporation with a market scheme can trace your habits and tastes. And any government agency with access to programs like Carnivore or Echelon can single you out for communications that contain innocent enough words such as "war" or "protest" in them.

But there is something you can do about it. Encryption is a quick and easy way to protect your privacy. It allows you to make anything from a simple text email to large portions of your computer's brain totally inaccessible to unwelcome eyes.

PGP (Pretty Good Privacy) is the most common and cost-free way to encrypt your material. Recently, the FBI reportedly spent more than a million dollars trying to decrypt a Canadian activist's PGP-encrypted computer and failed.

PGP software creates keys that you exchange with people you want to communicate privately with. Like real keys, you can only open something encrypted if you have the right set: your key and the sender's key. You can store keys the same way you store emails in your address book. The process is easy: write an email message, click the encrypt button and a window pops up with your key address book. Pick the person you want to send it to, enter your pass phrase, and *voilà!*, the message becomes a meaningless jumble of random characters, unreadable by almost anyone other than the person you intend it for.

We say almost because security relies on more than just technological gizmos. It relies on a culture of security that assumes people understand the process, respect the circles of trust and use the software responsibly. Once that is achieved, the benefits of PGP extend beyond being able to encrypt material. PGP allows you to sign your friend's keys, letting other people know you trust that key, thereby creating potentially vast networks of secure communication circles. This will become all the more important for activists as the Republican National Convention approaches.

PGP can also be used to apply a digital signature to a message without encrypting it. This is normally used in public postings where you don't want to hide what you are saying, but rather want others to know that the message actually came from you. Once a digital signature is created, it is impossible for anyone to modify the message or the signature without it being detected by PGP.

Many are concerned that using PGP will draw attention to themselves, making it appear that they are doing something illegal. But encryption in no way implies illegal activity and is used by many businesses as standard practice.

Privacy has nothing to do with crime. Besides, PGP is FUN. Never had a secret decoder ring? Boo!

For more information and to download free PGP software, visit: www.pgpi.org.

PGP FOR BEGINNERS

The NYC Independent Media Center will be hosting a workshop on March 6 at 2pm. 34 East 29th Street, NYC

For more info: pgptraining@riseup.net

THE RASI SALAI DAM in Thailand. The dam's gates have been open since 2000 when villagers won a long struggle for restoration of the area and their livelihoods.



AFRICA IS THE INDUSTRY'S NEXT BIG TARGET BATTLING BIG DAMS

By NEELA GHOSHAL

They came into our village with large trucks to take the elderly people and children. We said we wanted to know where we are going, what kind of soils we will have, what will happen to our livestock, our property, our graves. Some said, "No, we will not go. So they sent the soldiers and killed some of our people because they did not want to move from the river. Then we all moved—all except our ancestors who are still buried under the water."

This is how Chief Syankusule of the Tonka, speaking at a 1999 conference of dam-affected people of South Africa, described the forced removal of his people in 1957 to make way for the Kariba Dam. Fifty-seven thousand Tonka were resettled in this matter.

Almost 50 years later, little has changed. Large hydropower projects have become a lynchpin of neoliberal "Third World Development" strategies, and are usually built under the guise of bringing electricity to rural communities and water to their farmlands. All too often the dams direct water and energy to wealthy agribusinesses while allowing governments to make sweetheart arrangements with favored corporations.

"They tend to be bad deals," says Lori Pottinger of the Berkeley, California-based International Rivers Network (IRN). "There are tremendous social, environmental and economic ramifications. The poorest poor tend to be the big losers." Big dams displace communities, devastate aquatic life, and destroy cultural and archeological sites. They preempt consideration of other forms of sustainable energy, like geothermal and solar power. However, international financial institutions like the World Bank continue to promote large hydropower projects as a development elixir.

Struggle in Uganda

In 2002, a coalition of Ugandan grassroots organizations won a court case against President Lt. Gen. Yoweri Museveni to release information regarding the financing of the proposed Bujagali dam, ten kilometers from the source of the Nile. The secret terms of the contract called for Uganda to pay the U.S.-based energy giant AES, the builder of the dam, \$100 million annually for 30 years, regardless of how much electricity was produced. AES dropped out of the project amid scandal and the World Bank is seeking a new partner.

The IRN has supported Ugandan activists by spearheading a letter-writing campaign targeting World Bank President James Wolfensohn. The World Bank has failed to respond—even to letters signed by representatives of 120 different organizations.

In addition to strangling the Ugandan economy, the dam would displace 500 villagers, directly affect the livelihood of 6,800, submerge ancient shrines, and wipe out the

burgeoning \$60 million-a-year tourism industry at the Bujagali Falls. Only 7 percent of Ugandans would be able to afford the unsubsidized electricity provided by the dam, according to the World Bank's own estimates.

Local Ugandan organizations advocate following the lead of Kenya in developing geothermal and solar energy, but such alternatives are generally ignored by the World Bank and the Museveni government.

In neighboring Sudan the situation is still more dire. The proposed Merowi (or Hamadab) Dam project, headed up by Lahmeyer International of Germany and Alstrom of France, threatens to displace more than 50,000 Sudanese villagers. The dam, to be located at what was the cradle of Kush civilization more than 5,000 years ago, would change the course of the Nile and submerge archaeological landmarks.

"Archaeologists from around the world are now rushing to the dam site to try to salvage what they can before the water starts rising," says Ali Askouri of the Office of Hamadab Affected People.

The government of Sudan, a military dictatorship embroiled in civil war, has brutally cracked down on opposition to the dam. In one peaceful protest at Korgheli Village, police dispersed men, women and children with tear gas and live bullets. Organizers were arrested, detained and tortured for carrying out campaigns to educate villagers about potential effects of the dam.

According to Askouri, "The government policy on this project is a complete blackout and strict censorship on any news about the local resistance." Meanwhile the government perpetrates an illusion of cheerful acquiescence by the Hamadab people. When 200 families were forced to resettle in the Nubian Desert, Sudanese television showed government agents posing as affected people agreeing to move peacefully and receiving money as compensation. The reality is that eking out an existence in completely barren

lands could mean the extinction of the Hamadab.

Globalizing the Anti-Dam Movement

There's still hope for the people in Uganda and Sudan. Dam-affected people around the world are forming links and sharing strategies. They've also joined forces with northern NGOs like International Rivers Network, which can be important partners in lobbying banks and corporations to withdraw their support from dams.

The First International Meeting of People Affected by Dams, held in Brazil in 1997, drew representatives from 17 countries. The same year, the World Bank, responding to global pressures, collaborated with the World Conservation Union in creating a World Commission on Dams to develop an internationally acceptable criteria for the construction of hydropower projects. The commission's final report in September 2000 rejected many of these large dams.

The Second International Meeting of People Affected by Dams at the village of Rasi Salai, Thailand, in December 2003 brought 300 participants from 62 countries. "The melding of people from all over the world was really extraordinary," says conference organizer Aviva Imhoff. "The regional networking was incredible." Among other upshots, 30 representatives from different African countries agreed to establish an African Network on Dams—a critical step, says Imhoff, as "Africa is the industry's next big target."

Participants at the Rasi Salai meeting united under the slogan "Water for life, not for death!" The brutality described by Chief Syankusule is hardly a relic of the past; a Sudanese official reportedly told dam-affected people that anyone opposing the project would be "roasted." For the people of Sudan, Uganda and other nations that are being re-colonized, this time by economic imperialism, the fight against big dams is nothing less than a matter of life or death.

BIG DAMS AND THEIR IMPACTS:

Kariba Dam Zambia/Zimbabwe 57,000 people displaced	Three Gorges Dam China 1.2 - 1.9 million people will be relocated	Alguera Project Portugal is predicted to lead to the extinction of the Iberian Lynx and submerge 300 archaeological sites	Rasi Salai Dam Thailand 15,000 lost farmland; 60 percent were not compensated
Sardar Sarovar Dam India 100,000 - 400,000 people likely to be displaced; 15 people attempted suicide in Dec 2003 in protest of the dam	Salto Grande Dam Argentina displaced 12,000 people	Tarbela Dam Pakistan 96,000 were resettled	Tucurui Hydroelectric Complex Brazil 14,000 displaced, most relocated to urban slums
Yacyreta Dam Argentina will displace over 60,000 Argentinians and Paraguayans	Merowi Dam Sudan will displace 50,000 people	Nam Theun 2 Laos 5,200 indigenous people displaced and over 120,000 people's lives affected	Aslantas Dam Turkey 5,000 displaced
Maheshwar Project India will destroy the livelihoods of 50,000 people			

RE:VIEWS

CULTURE, POLITICS & CRITICISM

THE DIARY OF A LOOSE CANNON WITH GOOD AIM

FULL SPECTRUM DISORDER

By Stan Goff
Soft Skull Press

Stan Goff's career as a soldier in Army Special Operations took him through Delta Force and the Rangers and along for the ride in Vietnam, the tragicomic invasion of Grenada, and Haiti. He taught at West Point and trained the militaries of Colombia and Peru. It was through these experiences, coupled with what he calls the "negrophobia" of military culture, that Goff came to reject imperialism. Or, as he put it, "I am the Vietcong."

In each war and conflict, it became clearer that the military served local elites and general U.S. business interests and had no regard for the common soldier sent to fight or the people of the countries subjugated.

With so much war under his belt, Goff felt little attraction to the "latte left" and was drawn toward a no-nonsense Leninism that deals in on-the-ground power.

Full Spectrum Disorder was written for two audiences that don't usually cross paths: active duty GIs and "the left." There's been a lot of talk lately about the left because suddenly we have one and no one seems to know what to do with it. Goff thinks leftists should take themselves seriously enough to grasp the depth of the situation.

He sees a country that has been at war since the day of its founding, but is now at the end of its rope. He thinks the bubble of privilege that protects the United States is on the verge of popping. But most of all, he thinks revolution is more than a posture of lifestyle "progressives." He thinks it is our last best hope in the face of imminent ecological and economic collapse.

Unlike Goff's personal narrative of the last U.S. invasion of Haiti, *Hideous Dream*, much of this collection of rants, meditations and military analysis aims not so much to jar the reader as to focus those who already can't accept the reality of the situation.

There is a battle for "hearts and minds" to wage within the military itself. Will we be an empire or live in peace with the world?

—Jed Brandt



ALL McDONALD'S, ALL THE TIME

SUPER SIZE ME

Directed by Morgan Spurlock

Last February, director Morgan Spurlock allowed himself to become as fat as his credit card debt so that he could begin to break even.

Spurlock, 33, has just returned from two weeks at the Sundance Film Festival in Park City, Utah, where his first feature documentary, *Super Size Me*, premiered and earned him a Best Director award in the documentary competition.

The film, which Spurlock calls "a comedy," documents the director's physical decay as he goes on a McDonald's-only diet. Spurlock said the idea for the film came when he was visiting his family in West Virginia for Thanksgiving in 2002.

"I was sitting on the couch and feeling very bloated and happy when, on the news, they started talking about the two girls who were suing McDonald's here in New York City," Spurlock said. "Then, in the course of the news story, they interviewed a spokesman for the food industry who said, 'You can't link our food to these kids being overweight. Our food is nutritious.' At that moment, the little light went off."

Over the course of the film, the 6-foot-2, 185-pound

Spurlock gained 25 pounds in 30 days as he toured the nation visiting with nutritionists, lawyers who were suing fast-food companies, and former Surgeon General David Satcher to talk about America's obesity problem.

Spurlock set just three simple rules for himself: 1) he could only eat what was available over the counter (no options); 2) no "super sizing" unless offered, and 3) he had to eat every item on the menu at least once. The result was a heart-stopping display of gluttony, regurgitation and amateur science, all for the sake of speaking truth to McDonald's. The diet took an enormous toll on the director, who was begged by doctors to stop the diet after two weeks and also by his girlfriend, Alex, who is a vegan chef.

Spurlock said he would experience constant emotional highs and lows after eating. He said he would "feel great" at first, then turn miserable and angry when the sugar rush wore off an hour later. His emotional irritability, compounded with the effects his diet had on his physical relationship with Alex, made things very strained for the couple.

"This had a huge toll on our relationship," Spurlock said. "It had a lot of sexual implications that came out of nowhere, that I can't explain."

Now, a full year later,

Spurlock is back down to a fit 187 pounds and is still involved with Alex. While the emotional and physical cost to Spurlock was enormous, he was willing to risk the possible dangers of performing this experiment on himself in order to get it right.

"I would never ask anybody to do something that I wouldn't be willing to do myself," he said. Spurlock said he went without drinking alcohol for six weeks before filming and for another eight weeks after. He also had to make regular trips to the doctor and adhere to the diet the entire month if the project were to work.

The movie was one of the hottest tickets at Sundance, prompting even the local newspaper, *The Park Record*, to run an editorial cartoon of a Martian telling the Mars rover, "Hey Buddy, I can show you some really cool Martian rocks if you can get some tickets to *Super Size Me* at Sundance." Spurlock said he has already sold the cable rights to A & E and is currently negotiating for theatrical distribution.

"This was the most incredible two weeks of my life, and there is no doubt that this film has changed my life in ways that now I can't even foresee," Spurlock says. "I'm officially a director now, what can I say?"

—Chris Fleischer

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EL INDEPENDIENTE



Para Roberto, en su último año de *high school* en una escuela pública del Bronx, la ansiedad y el estrés del proceso de aplicar a la universidad ha sido intolerable. Aunque él habla inglés perfectamente y sus calificaciones son muy buenas, no quería continuar su educación por temor de que se conociera su secreto. Ha vivido 16 de sus 18 años en Nueva York y sigue siendo un residente indocumentado. Sus padres, inmigrantes de Ecuador, han logrado una vida cómoda y hasta ahora que el futuro de Roberto está en juego no han visto la necesidad de arreglar sus papeles. Roberto se negó a dar su testimonio.

ESTUDIANTES SIN DOCUMENTOS

POR JUANA PONCE DE LEÓN

La verdad es que la mayoría de los jóvenes indocumentados tiene más acentuada una obvia desconfianza porque no se siente parte de la sociedad", comenta Alyson quien es consejera de aplicación a la universidad en una pequeña escuela pública del bajo Manhattan. "Pueden haber estado tres años en la escuela y nosotros no nos hemos enterado de su situación. Yo he tenido jóvenes que han pasado por todo el proceso de aplicación, que dura más de cuatro meses, y no me han dicho nada."

Generalmente las comunidades de inmigrantes indocumentados se quedaban calladas pero según Josh Bernstein, *National Immigration Law Center* (NILC), los estudiantes están comenzado a tomar otro camino. "Algunos están involucrados con grupos nacionales como *US Student Association* o *Students Against Sweatshops*. También existen grupos estudiantiles en las escuelas mismas que están trabajando para lograr acceso a la residencia legal y a la educación superior."

H-RAP (*Human Rights Activist Project*, Proyecto Activista de Derechos Humanos), parte de *Global Kids Inc.*, un programa organizado por estudiantes de escuelas públicas secundarias de la ciudad de Nueva York, se dedica a buscar maneras en que los jóvenes pueden ayudar a crear cambios, a promover el activismo y el liderazgo juvenil en temas de derechos humanos, inmigración y educación. El grupo está integrado por estudiantes indocumentados, residentes y ciudadanos y forman parte de la coalición local y nacional del *DREAM Act* (*Development, Relief, and Education for Alien Minors*) Acta de desarrollo, alivio, y educación para inmigrantes menores de edad) mejor conocido como el Acta de Esperanza entre estos jóvenes.

Maly Fung, estudiante en International High School of Queens, ha sido miembro de H-RAP más de dos años. Ella explica: "Aunque yo recibí mis papeles recientemente, yo sé lo que es estar en esa situación presionada todo el tiempo y sin poder sacarle provecho a la vida aquí. Por eso me uní a esta organización. Aquí he aprendido sobre mis derechos y la posibilidad de hacer cambios. He hablado mucho con mis compañeros sobre la importancia de involucrarse al movimiento estudiantil."

El *NY Dream Act Task Force* es una de las campañas de concientización y apoyo más importantes de H-RAP. El DREAM Act busca aclarar las preguntas de inmigración de obstáculos federales para acceso a la educación

superior, sobre el permiso para trabajar que encaran estudiantes hijos de indocumentados y criados en los Estados Unidos. Pide revocar la Sección 505 del Acta la Reforma de Migración Ilegal y Responsabilidad del Inmigrante de 1996 que castiga a cualquier estado de la Unión que ofrece la matrícula de residente a un estudiante indocumentado. El DREAM Act crearía una nueva forma de evitar deportación y el estudiante indocumentado podría aplicar si reúne los siguientes requisitos: tener por lo menos 12 años de edad en la fecha de promulgación, o ser menor de 21 años al aplicar para la cancelación. Para ser elegible, el estudiante tiene que haber vivido continuamente en los Estados Unidos durante 5 años en la fecha de promulgación, haber terminado *high school* antes de aplicar, demostrar buen carácter moral (término específico de inmigración), y no tener antecedentes criminales. Actualmente esta legislación, un esfuerzo apoyado por demócratas y republicanos, está pendiente en el Congreso.

Barbara S. joven indocumentada de Venezuela, quien cursa por su primer año de *high school* en St. Vincent Ferrer en Manhattan, comenta: "Dada la política de inmigración y las leyes actuales, miles de jóvenes como yo no van a tener la oportunidad de alcanzar sus metas. Yo he visto a miembros de mi familia luchar día tras día para poder sostener al resto de la familia enfrentándose a condiciones de trabajo muy malas y al miedo. Yo sé que mi futuro está en jaque. Graduarme de *high school* y entrar a la universidad son las dos metas más importantes de mi vida." Barbara es miembro del programa para la juventud de *Latin American Integration Center* llamado *Youth Empowerment Activists* (YEA!).

INGRESO A LA UNIVERSIDAD

Cuando preguntamos a Alyson qué hacía al enterarse de la residencia ilegal de sus estudiantes dijo: "No quiero decir mucho sobre esto porque las universidades que nos están ayudando hacen una labor tan importante que no quisiera entorpecer su trabajo hablando sobre el tema." Aparentemente, la existencia de estas universidades es un secreto bien guardado entre los consejeros en las escuelas públicas de la ciudad. "Sí hemos logrado matricular a nuestros estudiantes en diferentes escuelas de la ciudad y el estado. Muy pocos quieren tomar el riesgo de ingresar en una universidad privada donde piden el número de seguro social." Bill Mack, *Director Financial Aid* en CUNY comenta: "A CUNY pueden ingresar estudiantes indocumentados pues no se hace ninguna pregunta sobre su documentación y no se requiere número de



seguro social, sólo que el estudiante sea residente de Nueva York por más de dos años."

EL COSTO DE LA UNIVERSIDAD

El estado de Nueva York aprobó la legislación S.B.7784 en 2001 que "permite a todo estudiante, sin importar su estado de inmigración, pagar la matrícula que se le ofrece a residentes de Nueva York..." siempre y cuando reúna todos los requisitos de residencia estatal y si firma una declaración donde promete aplicar para obtener la residencia permanente lo más pronto posible. Aunque esta ley le ahorra más de \$10.000 al año, el estudiante no puede beneficiarse de ninguna beca que el gobierno federal o estatal ofrece.

Afortunadamente sí existen algunas opciones para conseguir apoyo. El Centro de Recursos Legales para Inmigrantes (*The Immigrant Legal Resource Center*, www.ilrc.org/scholarship.html) tiene un listado de becas que "no requieren prueba de ciudadanía en Estados Unidos o de residencia permanente." La lista incluye: *Salvadoran-American Leadership Education Fund*; *Sears Craftsman Scholarship*; *Mexican American Legal Defense and Education Fund*; *Alliance for Young Artists and Writers, Inc.*; y la *American General Career Distribution Group Scholarship*. Según Mack, la beca Peter Vallone en CUNY tampoco requiere ninguna prueba.

Para latinos víctimas de los ataques de las Torres Gemelas, la *Citizens' Scholarship Foundation of America*, ofrece becas para estudiar en instituciones acreditadas. Sandy Cheiten, *Director of Corporate and Foundation Relations* explica: "Si alguien puede comprobar que perdió un familiar o su trabajo y ha sido afectado adversamente económicamente y si quiere estudiar, nosotros podemos pagar una porción de su educación."

Abrir la puertas de las universidades a estudiantes indocumentados es dar un primer paso en la dirección que toca. Sin embargo, mientras que los estudiantes permanezcan indocumentados seguirán marginados y encarando las mismas dificultades económicas y sociales que sus padres. Dice Maly Fung: "Nos están negando el derecho primordial de recibir educación." Barbara S. agrega: "Yo entiendo que el DREAM Act y el *Student Adjustment Act* son mi única esperanza para poder ajustar mi estado de residencia y aumentar la posibilidad que yo pueda ingresar a la universidad. Por eso les pido que apoyen este esfuerzo y que protejan el derecho de todos los jóvenes de este país de realizar sus sueños."

BROOKLYN: MUERTE TRÁGICA DE DOS NIÑOS

El 9 de febrero los niños Víctor Flores (11 años) y su amigo Juan Estrada (10 años) fueron atropellados por un camión en la esquina de la Tercera Avenida y la Calle 9, Park Slope. Regresaban de la escuela cuando, al llegar a esta esquina e intentar cruzar la calle, fueron arrollados y perdieron la vida. La tragedia ha enlutado a dos familias inmigrantes de Puebla, México, y a toda la comunidad. Y lo peor es que quizás podría haber sido evitada si el Departamento de Tránsito hubiera seguido las recomendaciones de rediseñar los cruces y la combinación de luces de los semáforos. Noah Budnick de la organización en defensa de los peatones "Alternativas de tránsito" dijo que esta esquina figuraba entre una docena de cruces peligrosos señalados en un estudio realizado el año pasado. Sin embargo, el Departamento de Tránsito decidió en junio pasado que no implementaría ninguna de las medidas hasta el año 2009 debido a la crisis presupuestaria que sufre la ciudad de Nueva York.

Familiares y vecinos se debaten entre la angustia y la necesidad de aclarar el por qué de este accidente fatal. De inmediato se demandaron cambios al Departamento de Tránsito y a las autoridades de la ciudad. Entre ellos se incluyen: poner guardias de tránsito en horarios de entrada y salida de la escuela en cruces de la Tercera Avenida (como los hay en otras avenidas de Park Slope), agregar un momento extra para el peatón antes de darle luz verde al vehículo, extender las aceras para obligar a que los vehículos reduzcan la velocidad en las esquinas, plantar árboles para señalar que ésta no es una zona industrial sino un área residencial.

No hay palabras para describir el dolor de estas familias pero sí hay varias medidas que se deben tomar para evitar que la tragedia se repita. Y esta vez, no se puede aceptar que las medidas de protección al peatón se suspendan invocando la "crisis del presupuesto de la ciudad".

— SILVIA ARANA